

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE DIET DRUGS)	
(Phentermine/Fenfluramine/Dexfenfluramine))	MDL NO. 1203
PRODUCTS LIABILITY LITIGATION)	
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THIS DOCUMENT RELATES TO:)	
PEGGY MARTINEZ, <i>et al.</i>)	Civil Action No: 2:02-cv-20135-HB
Plaintiffs,)	
v.)	
AMERICAN HOME PRODUCTS)	
CORPORATION, <i>et al.</i> ,)	
Defendants.)	
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ANNA CARDINALE'S MOTION FOR SUBSTITUTION

Anna Cardinale files this motion for substitution of parties and show the following:

1. Intervenor Plaintiff Louis Cardinale passed away on September 1, 2002. Anna Cardinale is the decedent's wife, such as the executrix of the estate of decedent Louis Cardinale. Anna Cardinale respectfully requests that this Court substitute her as the intervenor plaintiff on behalf of decedent Louis Cardinale.

2. In the interests of justice, this Court should permit Anna Cardinale to substitute on behalf of the decedent. This case has been settled, and thus there is no prejudice to the defendants.

CONCLUSION

Because Anna Cardinale is the decedent's wife, such as the executrix of the estate of decedent Louis Cardinale, Anna Cardinale's motion for substitution should be granted.

Respectfully submitted,

THE O'QUINN LAW FIRM

A handwritten signature in black ink, appearing to be 'C. Gilbert', written over a horizontal line.

CHRISTOPHER K. GILBERT, ESQ.

TX Bar No. 24034247

U.S.D.C., S.D., Tx. ID: 31992

440 Louisiana Street, 24th Floor

Houston, Texas 77002

Telephone: 713-236-2677


Telecopier: 713-223-4870

EMAIL: cgilbert@gilbert-law.com

ATTORNEYS FOR INTERVENOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Anna Cardinale's Motion for Substitution has been filed electronically and is available for viewing and downloading from the ECF system. Service on all attorneys of record who do not receive notice by electronic mail from the ECF system was accomplished as set forth below on April 16th, 2008.

/s/  _____

Dated: April 16th, 2008

SERVICE LIST

VIA US MAIL

Daniel S. Pariser, Esq.
Ethan Greene, Esq.
Arnold & Porter, L.L.P.
555 12th Street, NW
Washington, D.C. 2004
Counsel for Wyeth

Gregory P. Miller, Esq.
Drinker, Biddle & Reath
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Special Discovery Master

Michael Fishbein, Esq.
Arnold Levin, Esq.
Levin, Fishbein, Sedran & Berman
510 Walnut Street
Suite 500
Philadelphia, PA 19106
Co-Chair of Plaintiffs' Management Committee

John J. Cummings, III, Esquire
Cummings, Cummings & Dudenhefer
416 Gravier Street
New Orleans, LA 70130
Co-Chair of Plaintiffs' Management Committee

Stanley M. Chesley, Esquire
Waite, Schneider, Bayless, Chesley Co., L.P.A.
1513 Central Trust Tower
One West Fourth Street
Cincinnati, OH 45202
Co-Chair of Plaintiffs' Management Committee

Ms. Deborah A. Hyland
Plaintiffs' Management Committee
Constitution Place
325 Chestnut Street, Suite 200
Philadelphia, PA 19106
Co-Chair of Plaintiffs' Management Committee

Michael T. Scott, Esquire
Reed Smith LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
Liaison Counsel for Fenfluramine/Dexfenfluramine Defendants

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Defendants.

PRETRIAL ORDER NO.

AND NOW, this _____ day of _____, 2008, it is hereby ORDERED and
DECREED that Anna Cardinale's Motion for Substitution is GRANTED. Intervenor Plaintiff
Anna Cardinale is substituted as the proper party plaintiff for decedent Louis Cardinale.

BY THE COURT:

Chief Judge Harvey Bartle, III